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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,097	06/08/2000	Christian Odemann	RW-106	2124

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EXAMINER

LE, MIRANDA

ART UNIT PAPER NUMBER

2177

DATE MAILED: 03/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/591,097

Applicant(s)

ODEMANN, CHRISTIAN

Examiner

Miranda Le

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. The specification contains several spelling/typographical errors (see page 1, line 16 "maintenance"; see page 2, line 30 "characterisitic"). Please correct all such errors throughout the specification.

Drawings

2. The drawings are objected to because they fail to show necessary textual labels of features or symbols in Fig. 1 as described in the specification. For example, placing a label, "data bank", with reference 13, would give the viewer necessary detail to fully understand this element at a glance. A *descriptive* textual label for *numbered elements* 10, 11a, 11b, 12, 14, 15a, and 15b in this figure would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible".

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "the implements are provided with an individual machine readable identification characteristic, the implement status data are stored in a central data bank, a remote access to the databank is possible" of claim 1; "the place of stay, the place of use, the certification status, the calibration status, the age and/or future checking dates belong to the status data" of claim 2; "the identification characteristic or the individual password of an implement serve as proof of authorization for the access to its data memorized in the data bank" of claim 3; "the logistic guidance of the allotment of the implements are optimized" of claim 4; "the individual identification characteristic is made available by a radio frequency transponder" of claim 5 as described in the specification.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 1, the phrase "or the like" renders the claim indefinite because the claim includes elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Sandifer et al. (US Patent No. 5,778,381).

Sandifer anticipated independent claim 1 by the following:

7. As per claim 1, Sandifer teaches "A method for the management of aeronautical industry implements which have to be sent to special workshops for checking, maintenance, calibration, certification, repair or the like" at col. 2, lines 1-12,

"wherein the implements (11a, 11b) are provided with an individual machine readable identification characteristic (15a, 15b), that the implement status data are stored in a central data bank (13) and that a remote access to the data bank is possible" at col. 3, lines 43-63, col. 29, lines 46-54.

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8. As per claim 2, Sandifer teaches "the present place of stay, the place of use, the certification status, the calibration status, the age and/or future checking dates belong to the status data" at col. 6, lines 12-22, col. 36, lines 22-29.
9. As per claim 3, Sandifer teaches "the identification characteristic or the individual password of an implement (11a, 11b) serve as proof of authorization for the access to its data memorized in the data bank (13)" at col. 29, lines 13-22.
10. As per claim 4, Sandifer teaches "the logistic guidance of the allotment of the implements (11a, 11b) are optimized by means of the data of the data bank (13)" at col. 82, lines 21-35.

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandifer et al. (US Patent No. 5,778,381), as applied to the rejection of claims 1-4 above, in view of Aslin et al. (US Patent No. 4,943,919).

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23. As per claim 5, Sandifer does not explicitly teach “the individual identification characteristic is made available by a radio frequency transponder (RFT with or without cryptography) (15a, 15b)”. However, Aslin teaches this limitation at col. 9, lines 28-46.

Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to modify the teachings of Sandifer with the teachings of Aslin to include “the individual identification characteristic is made available by a radio frequency transponder (RFT with or without cryptography) (15a, 15b)” in order to provide a method which relates to computerized maintenance data collection and analysis and, in particular, to a centralized maintenance computer system for use in overall aircraft system maintenance procedures and a method of collecting and analyzing a complete set of aircraft maintenance information.

24. As per claim 6, Sandifer does not teach “The use of a radio frequency transponder (RFT with or without cryptography) (15a, 15b) for carrying out a method according to claim 1”.

However, Aslin teaches this limitation at col. 9, lines 28-46.

Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to modify the teachings of Sandifer with the teachings of Aslin to include “The use of a radio frequency transponder (RFT with or without cryptography) (15a, 15b) for carrying out a method according to claim 1” in order to provide a method which relates to computerized maintenance data collection and analysis and, in particular, to a centralized maintenance computer system for use in overall aircraft system maintenance procedures and a method of collecting and analyzing a complete set of aircraft maintenance information.

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Conclusion


25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (703) 305-3203. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax number to this Art Unit is (703) 746-7238.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Miranda Le
March 6, 2003


JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100